

EXHIBIT 25

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3 UNITED STATES DISTRICT COURT

4 DISTRICT OF MASSACHUSETTS

5 No. 04-CV-11948-RGS

6 SEYED MOHSEN HOSSEINI-SEDEHY,

7 Plaintiff

8 vs.

9 ERIN T. WITHINGTON and the CITY

10 OF BOSTON,

11 Defendants

12
13 DEPOSITION OF ERIN T. WITHINGTON

14 Thursday, March 31, 2005

15 10:00 a.m. - 4:32 p.m.

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24 Reporter: Cynthia C. Henderson/RPR

39 (Pages 150 to 153)

Erin T. Withington - March 31, 2005

<p style="text-align: right;">150</p> <p>1 Q. After you talked with Mr. Hosseini, as far 2 as you were concerned your investigation was done 3 and you were going to refer it to the D.A.; correct? 4 A. I was going to refer to the D.A. and let -- 5 if they needed further investigation, they would let 6 me know, yes. 7 Q. But as far as you were concerned, your 8 investigation was concluded but you would be willing 9 to help out? 10 A. Yes. 11 Q. You had done as much as you wanted to do at 12 that time? 13 A. No. I just wanted to get both sides out 14 there. Whether or not I was completely done, no. I 15 wanted to know this is an allegation and this is the 16 answer. 17 Q. What did you want to do with regard to this 18 investigation after you spoke with 19 Mr. Hosseini? 20 A. Neither party gave me anybody else to speak 21 to. Nobody said, "You need to talk to them" or "He 22 has got this problem" or "I have this problem with 23 him," so no one really gave me anything to go on 24 after that, so I guess I was done.</p>	<p style="text-align: right;">152</p> <p>1 couldn't think of it, well, he is a guy, he can 2 handle it himself. I have a victim that's still 3 complaining and incidents are happening and I am not 4 doing anything about it. 5 Q. But you had no corroboration of Bavis's 6 allegations against Mr. Hosseini on March 22, 2004? 7 MS. AMBARIK: Objection. You can 8 answer. 9 A. No. 10 Q. And if Bavis had not been calling as often 11 as he was calling, you would not have made or you 12 would not have sought an arrest warrant; correct? 13 A. Yes. 14 Q. So the reason why you sought an arrest 15 warrant is because of the number of calls that Bavis 16 was making to you; right? 17 MS. AMBARIK: Objection. 18 A. No. 19 Q. What was the reason why you sought the 20 arrest warrant on March 22, 2004? 21 A. Because Mr. Bavis had stated that these 22 incidents were still occurring and that nothing was 23 being done and that he was still being touched on a 24 daily basis or somewhat of a daily basis, almost</p>
<p style="text-align: right;">151</p> <p>1 Q. That's what I was getting at. After you 2 spoke with Mr. Hosseini, as far as you were 3 concerned this investigation was done; correct? 4 A. Yes. 5 Q. And this was not one of your more serious 6 cases; right? 7 A. No. 8 Q. You have talked to Bavis at that point and 9 you have talked to Hosseini, you are just going to 10 let the D.A. deal with it; right? 11 A. Yes. 12 Q. But Bavis and Perry kept calling your 13 office; right? 14 A. Yes. 15 Q. And it was becoming an annoyance; right? 16 A. Yes. 17 Q. And after that final telephone call on 18 March 22nd, 2004, quite frankly, you were sick of 19 hearing from Mr. Bavis; right? 20 MS. AMBARIK: Objection. You can answer 21 the question. 22 A. No. Just he had asked me why nothing was 23 done and I had to think of it in terms of if he had 24 been a female I would have done the same thing, so I</p>	<p style="text-align: right;">153</p> <p>1 daily basis, and like I said, if Mr. Bavis had been 2 a female I would have done the same thing, so I 3 couldn't say, well, he is a guy and he can handle 4 it. It was based on the fact that he was saying, 5 "This is still happening to me as a victim." 6 Q. And you had not done any investigation 7 after you spoke with Mr. Hosseini; correct? 8 A. Yes. 9 Q. You were only receiving these telephone 10 calls from Bavis and Perry; correct? 11 A. Yes. 12 Q. What did Bavis tell you that 13 Mr. Hosseini was doing to him from the time you 14 spoke with Mr. Hosseini until March 22 that caused 15 you to decide to apply for an arrest warrant? 16 A. He was rubbing his arm, he had walked by 17 him on a couple of occasions, and Mr. Bavis alleges 18 that he was bending over and Mr. Hosseini brushed 19 his groin against his buttocks. 20 Q. How many times? 21 A. I don't know exactly. I want to say maybe 22 that was two of the allegations, that he was still 23 touching him whenever he walked by him. Not every 24 time constituted an Indecent assault and battery,</p>